

**Lawrence Berkeley National Laboratory
Contract Assurance Council
Minutes of the Quarterly Meeting**

**Wednesday, April 9, 2008
University of California—Office of the President
LBNL 50A-4133**

CAC members or representatives present:

Bruce Darling	Bob Van Ness	John Oakley
Steve Beckwith	John Birely	Bill Eklund for Jeff Blair
Bob Foley	Patrick Reed	
Judy Ackerhalt for Judy Boyette	Buck Koonce	
	John Layton, by phone	

CAC members absent:

Al Diaz	Anne Broome
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UCOP Staff:

Ron Nelson	Sharon Eklund
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Guest participants:

Sandy Merola, LBNL	Howard Hatayama,	Michelle Flynn, LBNL
Jim Krupnick, LBNL	LBNL	Melanie Gravois, LBNL
John Chernowski, LBNL	Don Lucas, LBNL	
	Ira Nishibayashi, LBNL	

Welcome/Action Items

VPLM Foley welcomed the Council members to the quarterly meeting. Buck Koonce reviewed the action items as follows:

- Items 34, 39, and 40—LBNL will report on these items at a future meeting.
- Items 42 and 43—LBNL will report on these items at today's meeting.
- Item 47—This item will be on hold until the Lab receives notice of the Podonsky inspection.
- Item 48—Ron Nelson will report on this item at a future meeting.

The Council voted unanimous approval of the March 2008 minutes as distributed.

Foreign Visits and Assignments

Don Lucas, LBNL EH&S Deputy Division Director, explained the project he is leading to complete Phase I of the plan to implement DOE Order 142.3, Unclassified Foreign Visits and Assignments (FV&A), at LBNL. The Lab is working closely with BSO on implementation,

and LBNL learned that it is in some cases already enforcing more strict FV&A standards than various other SC Labs. The Council encouraged the Lab to manage foreign national access carefully and to review the responsibilities of LBNL hosts of foreign nationals as the host role was the focus of a recent IG report on FV&A. Lucas reported that LBNL and the Stanford Linear Accelerator Center host two-thirds of the T-5 (the five terrorist-sponsoring countries) visitors in the entire DOE complex. The Lab has developed a brochure with information to assist hosts of foreign nationals, and they have begun asking all visitors to the Lab for their country of origin. Additional information on the project is included in the presentation materials.

Management of Non-DOE Property

Howard Hatayama distributed to the Council a draft brochure that explains guest responsibilities when bringing non-DOE property on Lab premises. In addition to issuance of the brochure, the corrective action plan includes a self-assessment and management walk-arounds with special instructions for identifying equipment issues. The Council asked if the Lab knows the total “population” of non-LBNL on-site equipment that is categorized as hazardous. The Lab does require that hazardous equipment be entered in the hazard management system (identified in the Activity Hazard Document database, for example), and there is a database that itemizes radiation equipment, but the Lab does not have a method of uniquely identifying all non-DOE equipment. LBNL is also conducting a pilot program for stronger assurance of vendor and subcontractor safety. The Council expressed concern with respect to the potential for human failure—in other words, do the users (and those working in proximity) know the safety procedures for the hazardous equipment? Hatayama explained that the Lab has a resource-intensive management process directed at people who perform hazardous work with hazardous equipment, and the Lab has its own construction safety expert staff. Additional information is included in the presentation materials.

Assurance Gap Analysis

John Chernowski reported that his office has completed interviewing the senior managers of operations functions to identify the responsibilities of each functional area, the risks associated with the functions, and what assurance systems are currently place in each area. While implementation of a relatively uncomplicated process will sometimes be all that is needed to address an assurance gap, in other instances there may be an identified need for implementation of a far more complex process that also requires additional resources. The lab recognizes that addressing the identified gaps is a large undertaking but believes it to be manageable. LBNL has developed a risk-based assurance system that also includes a process to determine why the system failed to identify certain risks (while recognizing that it is not possible to identify all risks beforehand). The Lab has also developed definitions for levels of risk and of quality of assurance as elements of the overall assurance system. Chernowski reported that DOE has responded very positively to the LBNL approach as indicated in the annual DOE evaluation of the Lab’s performance. The Council asked LBNL to provide a report on the status of addressing high risks at least once a year, preferably prior to the annual Lab self-assessment process.

CATS Modification/QA Review

Chernowski explained that as a result of the single QA finding resulting from last year's DOE review of QA, the Lab has developed a more robust document control policy that DOE has approved and that will be incorporated in the next publication of the Lab's policy manual.

Chernowski reported that senior management approved modification of the CATS process so that the CATS Committee will review all institutional issues to determine whether they are appropriate for completion and closure in CATS. Only two items in CATS are overdue more than two months at this point. The Lab is putting particular emphasis on traffic, crosswalk, driver, pedestrian, and bicycle safety issues.

The Council expressed concern that an issue that it had identified regarding the Laboratory's vulnerability to overdue CATS items may not have been effectively addressed. (After deliberation in Executive Session, it was determined to not close Action Item 43 and to cover this topic again in the May meeting.)

Sustainable Model for Maintenance

Sandy Merola reported that the Lab has received CD-0 approval for Phase 2 of the Science Laboratory Infrastructure project, and LBNL believes that the chances of receiving a portion of the planned \$94 million total project funding starting in 2009 are good. Additional, more detailed information is included in the presentation materials.

Senior Leadership Recruitments

Jim Krupnick provided the Council with the status of several senior manager recruitments, including the selection of Paul Alivisatos as the new Deputy Director. Other recruitments include finding a replacement for Alivisatos as the Associate Laboratory Director for Physical Sciences and selecting a new Chief Operating Officer and a new head of Public Affairs.

Executive Session

The Council spent the remainder of the meeting in Executive Session.

Action Items:

#	Responsible Party	Action	Date Added	Status
34	Fernandez LBNL	Updates on UCB/LBNL status of addressing the different indirect rate structures at the Lab versus Berkeley Campus	10/10/07 (discussions beginning on 08/15/07)	OPEN— future updates
39	Fernandez LBNL	Report on what measures UCB and LBNL take to require vendors to indemnify UC when the vendor is working at LBNL	12/12/07	OPEN
40	Fernandez LBNL	Report on how equipment owned by other organizations is managed at LBNL, including maintaining accountability and operational safety assurance	12/12/07	OPEN
43	Chernowski LBNL	Report on any changes in the CATS process for validating item severity This action has been modified, and the Council has requested further discussion of the CATS process.	01/08/08	OPEN
47	Hirahara UCOP	Create a sub-group of CAC members to advise LBNL on preparation for FY09 Podonsky review	03/11/08	HOLD
48	Nelson UCOP	Report on review of adequacy of LBNL COI policies and processes	03/11/08	OPEN
42	Chernowski LBNL	Provide follow-up on the contents of the QA final report and resulting corrective actions	01/08/08	Closed on 04/09/08